

PATENT  
ATTORNEY DOCKET NO: 582.02

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

- 1 (currently amended). A method of treating discogenic pain comprising administering intradiscal administration of a vanilloid receptor 1 agonist to the ~~intravertebral~~ space in an amount sufficient to ablate neurons.
- 2 (canceled). The method of claim 1 wherein the vanilloid receptor 1 agonist is administered to a patient suffering from discogenic pain.
- 3 (original). The method of claim 1 wherein the vanilloid receptor 1 agonist is selected from the group consisting of resiniferatoxin or a capsaicin.
- 4 (original). The method of claim 3 wherein the vanilloid receptor agonist is a capsaicin.
- 5 (original). The method of claim 1 wherein the amount is from 50 nanograms to 50 micrograms.
- 6 (original). The method of claim 1 wherein the amount is from about 500 nanograms to about 50 micrograms.
- 7 (canceled). The method of claim 1 wherein intravertebral administration comprises direct injection into the space between vertebrae.
- 8 (original). The method of claim 1 further comprising administering a local anesthetic.
- 9 (original). The method of claim 8 wherein the local anesthetic is lidocaine, bupivacaine, tetracaine, or ropivacaine.

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10 (presently amended). A kit for treating back pain comprising a compartment containing a vanilloid receptor 1 agonist in an amount sufficient to relieve discogenic pain and instructional materials describing how to use the kit including instructions for intradiscal administration of the vanilloid receptor 1 agonist.

11 (original). The kit of claim 10 wherein the vanilloid receptor agonist is a capsaicin.

12 (original). The kit of claim 10 further comprising a local anesthetic.

13 (original). The kit of claim 12 wherein the local anesthetic is lidocaine or bupivacaine.